

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Andras SARKOZY, John O'BRIEN and
Gregory FLYNN

Reissue Application for reissue of U.S.
Patent 5,893,919, Issued: April 13, 1999

For: APPARATUS AND METHOD FOR
STORING DATA WITH SELECTABLE
DATA PROTECTION USING
MIRRORING AND SELECTABLE
PARITY INHIBITION

Reissue Serial No.: Not Yet Assigned

Filed: Concurrently

Group Art Unit: Unknown

Docket No.: STOCOM P05AUSRI

Examiner: Unknown

BOX REISSUE

Assistant Director
for Patents

Washington, D.C. 20231

Dear Sir:

**DECLARATION FOR APPLICATION FOR REISSUE
OF U.S. PATENT NO. 5,893,919**

As a below-named inventor, I hereby declare that:

Pursuant to the requirements of 37 C.F.R. §1.63(a)(3), my residence and country
of citizenship are provided below next to my name;

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I hereby state that I and the other person(s) listed below are the original, first and joint inventors of the subject matter which is claimed in U.S. Patent 5,893,919, and of the subject matter which is claimed in the claims in the application for reissue of U.S. Patent 5,893,919, which application is attached hereto.

I hereby state that I have reviewed and understand the contents of the specification including the claims, as included with this application for reissue.

Pursuant to the requirements of 37 C.F.R. § 1.175(a)(1), I believe that U.S. Patent No. 5,893,919 is wholly or partly inoperative by reason of the patentee claiming less than he had a right to claim in the patent.

At Least One Error Under 35 U.S.C. § 251 as to the Scope of the Original Claims Being Relied on as the Basis for Reissue

Error: The error involves the failure of the patentee to claim as broadly as he is entitled and in particular, to claim a mechanism and method for providing user selectable levels of protection, which mechanism and method are disclosed in the specification and are encompassed within the inventive concept. In particular, the failure to claim a mechanism and method wherein parity information is not required is an error.

Pursuant to requirements of 37 C.F.R. §1.175(a)(2), I state that all errors being corrected in the reissue application up to the time of filing this Declaration arose without any deceptive intention on the part of the Applicants.

Pursuant to requirements of 37 C.F.R. §1.63(b)(3), I acknowledge the duty to disclose to the Office all information known to applicants to be material to patentability as defined in 37 C.F.R. §1.56.

Pursuant to requirements of 37 C.F.R. §1.68, I declare further that all statements made herein of my own knowledge are true and that all statements made on information

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and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint the following individuals as my representatives with full power of substitution and revocation, to prosecute a Reissue application upon U.S. Pat. No. 5,893,919 and to transact all business in the United States Patent and Trademark Office connected therewith:

Anthony G. M. Davis, Reg. No. 27,868

Gary D. Clapp, Reg. No. 29,055

Michael J. Bujold, Reg. No. 32,018

Scott A. Daniels, Reg. No. 42,462

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Full name of sole or first joint inventor Andras SARKOZY

Inventor's signature _____

Date _____

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Citizenship Hungary

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Full name of second joint inventor John O'BRIEN

Inventor's signature _____

Date _____

Residence Short Hills, New Jersey

Citizenship United States of America

Post Office Address 32 Nottingham Road, Short Hills, New Jersey 07078

Full name of third joint inventor Gregory FLYNN

Inventor's signature _____

Date _____

Residence North Reading, Massachusetts

Citizenship United States of America

Post Office Address 18 Pine Glen Drive, North Reading, Massachusetts 01864

03-07-1997

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

FORM PTO-1595

RE



100368797

Attorney Pocket: STOCOM PO:

1997

Commissioner of Patents and Trademarks
Washington, D.C. 20231

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Andras SARKOZY, John O'BRIEN and Gregory FLYNN

2. Name and address of receiving party(ies):

Name: STORAGE COMPUTER CORPORATION

Internal Address: _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Street Address:

11 Riverside Street
Nashua, NH 03062
United States of AmericaAdditional name(s) & address(es) attached? ☐ Yes ☒ No

Execution Date: November 15, 1996

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s) 08/721,090 filed on September 27, 1996

B. Patent No(s) issued on _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Customer Number: 020210
Davis and Bujold
Fourth Floor
500 North Commercial Street
Manchester, NH 03101
Telephone 603-624-9220
Facsimile 603-624-9229
E-mail: patent@tiac.net

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

04-0213

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature:

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

Anthony G.M. Davis
Name of Attorney of Record

Signature

February 18, 1997

Date

Attorney Registration No. 27,868

Total number of pages including cover sheet, attachments and document: [4]

ASSIGNMENT OF INVENTION

For: ☒ U.S. and/or ☒ Foreign Rights
 For: ☒ U.S. Application or ☐ U.S. Patent
 By: ☒ Inventor(s) or ☐ Present Owner

Assignment Recorded on

Reel: _____

Frame: _____

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR:
 Andras SARKOZY, 23 Hampshire Drive #A, Nashua, New Hampshire 03063, U.S.A.
 John O'BRIEN, 11 Riverside Street, Nashua, New Hampshire 03063, U.S.A.
 Gregory FLYNN, 16 Pine Glen Drive, North Reading, Massachusetts 01864, U.S.A.

hereby sells, assigns and transfers to ASSIGNEE:

STORAGE COMPUTER CORPORATION
 11 Riverside Street
 Nashua, N.H. 03062
 United States of America

and the successors, assigns and legal representatives of the ASSIGNEE

- ☒ the entire right, title and interest
☐ an undivided _____ percent (____%) interest for the United States and its territorial possessions
☐ and in all foreign countries, including all rights to claim priority.

in and to any and all improvements which are disclosed in the invention entitled,

DATA STORAGE SYSTEM WITH SELECTABLE DATA PROTECTION
 and which is found in

- ☐ U.S. Patent Application executed on even date herewith; or
☐ U.S. Patent Application executed on _____, or
☒ U.S. Application serial no. 08/721,090
 filed on September 27, 1996 (may be filled in when known); or
☐ U.S. Patent No. _____ issued _____;
☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately; or
☐ and any legal equivalent thereof in a foreign country, including the right to claim priority;

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof;

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand this

Date: 8/15/96 _____
 Date: 11/15/96 _____
 Date: 11/15/96 _____

Andras SARKOZY

John O'BRIEN

Gregory FLYNN